

# **EXHIBIT 3**



January 23, 2023

**Via Email**

Angela Foster (afoster@fosterlaw)  
Law Office of Angela Foster  
2906 Birchwood Court  
North Brunswick, New Jersey 08902-3933

Bernhard Molldrem (barney@molldremiplaw.com)  
Law Office of B. Molldrem  
224 Harrison Street  
Syracuse, New York 13202

Patrice P. Jean (patrice.jean@hugheshubbard.com)  
Emma L. Baratta (emma.baratta@hugheshubbard.com)  
Lynn M. Russo (lynn.russo@hugheshubbard.com)  
Hughes Hubbard & Reed  
One Battery Park Plaza  
New York, New York 10004-1482

Re: *Focus Products Group Int'l LLC et al. v. Kartri Sales Company, Inc.*  
Civil Action No. 15 Civ. 10154 (PAE) (SDA)

Dear Counsel:

As you know, we represent Plaintiffs in the above-captioned matter.

Please be advised that your client Kartri is violating the injunction set forth in the Court's recent Opinion & Order ("Order", Dkt. 501).

In the Order, the Court held that it "enjoins defendants from further infringement or unfair competition with ... the Trade Dress ..." (*id.* at 167). The Trade Dress is specifically defined in that Order (*id.* at 64).

As of today's date, Kartri is offering for sale a "Hang2it" or "tear drop" curtain, as shown on its website (*see*, attached photos). That Hang2it curtain falls within the scope of the Trade Dress. As such, it infringes Plaintiffs' rights, and is a violation of the Court-Ordered injunction. The same holds for any other shower curtains embodying the "tear drop" ring, and any other curtains that may be offered by Kartri which embody the Trade Dress delineated in the Order.

In view thereof, Kartri must immediately cease and desist from all further manufacture, promotion, importation, offer for sale, and sale of these products. In the event that Kartri continues these activities, this unlawful action will be met with an immediate request for the Court's intervention to redress the ongoing violations of the Court-Ordered injunction.

Please confirm by no later than Friday, January 27, 2023 that Kartri has ceased and desisted accordingly, and will be fully complying with the Court's Order going forward.

In addition, in view of Kartri's continuing infringement of the Trade Dress and its unfair competition, please immediately provide us with all financial information from the inception of sales of these "Hang2it" or "tear drop" products (irrespective of the name(s) under which they were sold) through the termination of sales. For each product, this information should include: the name it was sold under, the total revenue, the gross and net profit, the quantities of products sold, the price charged per unit, the cost of goods, the identity and contact information of all entities manufacturing and supplying these products to Kartri, the identity of all customers (whether distributors, hotels, or otherwise) to whom the products have been sold, and the quantities remaining in Kartri's inventory.

To resolve this matter in an amicable fashion, please provide that information to us no later than Friday February 3, 2023.

This letter is without prejudice to Plaintiffs' rights, including the right to pursue any and all legal remedies available to them at any time without further notice, if necessary.

Sincerely yours,

*/s/ Morris E. Cohen*


Morris E. Cohen

Enclosure




PRODUCTS - Kartri Sales Comp<sup>®</sup> x +  
https://www.kartri.com/products.html

Browse our full array of quality products below. Trusted by hospitality, healthcare and other facilities since 1975, you can count on top notch quality and service at fair prices. Contact us with any questions.




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